

SEALED**FILED**

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Carl Monroe Gordon

Case No.

EP: 19-M-09928-ATB*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2 through July 12, 2019 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. §2243(a)

Offense Description

Carl Monroe Gordon, on or about July 2 through July 12, 2019, in the jurisdiction of the United States, namely Fort Bliss, Texas, in the special maritime and territorial jurisdiction of the United States, did knowingly engage in a sexual act with a person who has attained the age of 12 years but has not attained the age of 16 years.

This criminal complaint is based on these facts:

See attached probable cause statement hereby incorporated by reference as if fully restated herein

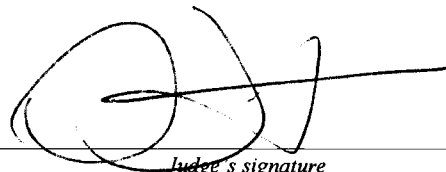
☒ Continued on the attached sheet.*Complainant's signature*

Colette Nicole Baumle, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

12/13/19*Judge's signature*

City and state:

El Paso, Texas

Anne T. Berton, U.S. Magistrate Judge

Printed name and title

PROBABLE CAUSE STATEMENT

1. I, Colette Nicole Baumle, hereinafter referred to as Affiant, am a Special Agent of the Federal Bureau of Investigation (FBI), and conduct investigations of violations of Federal Criminal Law, to include violent crimes against children.

2. On September 29, 2019, U.S. Army Criminal Investigation Command (CID) referred a case to the FBI El Paso Division's (EPD) Violent Crimes Against Children squad. CID relayed that on September 19, 2019, Complainant reported that her 13-year-old daughter, hereinafter referenced as Victim 1, disclosed to Complainant that Victim 1's ex-step father, Carl Gordon, with whom Victim 1 still has a father/daughter relationship, had been sexually abusing Victim 1 since approximately 2015, when Victim 1 was approximately 10-11 years old.

3. After receiving this referral, FBI SAs interviewed Complainant, who stated that Victim 1 disclosed to Complainant that Gordon had sexually abused Victim 1 in two separate residences located on land within the Special Maritime and Territorial Jurisdiction of the United States, specifically, Fort Bliss, Texas. Fort Bliss, Texas is within the Western District of Texas.

4. Victim 1, and her now 12-year-old sister, Victim 2, were separately forensically interviewed by the FBI wherein both Victim 1 and Victim 2 claimed that they had both been sexual abused by Gordon.

5. By sexual abuse, Victim 1 clarified to interviewers that Gordon would touch her "down there"; by "down there", Victim 1 indicated to her to genitals, describing that area as her "my private part". Victim 1 stated further stated it was her "front" private part; when the Forensic Interviewer asked what girls use their front private part for, Victim 1 stated, "to pee".

6. Victim 1 further stated to the forensic examiner that the last time Gordon sexually abused her was while Gordon was visiting Victim 1 and Victim 2 at their on-post house located on Fort Bliss, Texas from approximately July 2 through July 12, 2019; Victim 1 was 13-year-old at that time. Victim 1 had her own bedroom and Gordon would come into her bedroom and touch her sexually "pretty often...like every other night". Victim 1 described one instance in her bedroom on Fort Bliss, Gordon came into her bedroom while she was asleep. Victim 1 stated her mind was awake, but because she was in shock, she could not move her body or open her eyes. She felt everything that was happening. Victim 1 tried to talk, but she could not. Gordon used his hand to touch her "down there... [her] front part". Victim 1 further stated, "and that's when he like did what he did last time it's not like with my pants, like for real." When the forensic interviewer asked what she meant when she said "for real", Victim 1 stated, that Gordon used his hand to touch her down there." She stated it felt wrong, "like this is bad." Victim 1 further stated Gordon was rubbing her front part with his hand. When the Forensic Interviewer asked her what part of her front part Gordon was rubbing, Victim 1 stated she did not know what to call it because she did not know anything about "down there" but "I think like the part, you know how we pee, I think that part."

7. When the Forensic Interviewer asked if Gordon tried to put something inside down there or did put something inside down there, Victim 1 stated, "yeah." Victim 1 was laying on her back when she felt a "pressure" against her; Victim 1 did not know what to do. Victim 1 did not know the position Gordon was in because she did not want to open her eyes. Gordon stopped because her mother was coming home.

8. When the Forensic Interviewer asked Victim 1 to recall the last incident with Gordon, Victim 1 stated that she was asleep and woke up because she felt the cold air when Gordon lifted up her blanket. Victim 1 said she felt Gordon's hand go up her leg and then he stuck his fingers in Victim 1's pants. Victim 1 further said that she moved her blanket back over her, but Gordon continued to try touch her "down there". Victim 1 stated Gordon was not able to rub her down there because she would move. Victim 1 told Gordon to stop, but he tried to do it again; Victim 1's her little sister had awoken, which prompted Gordon to immediately leave her bedroom. When the Forensic Interviewer asked Victim 1 if there was ever a time Gordon did touch her down there, Victim 1 stated, "yes".

9. Victim 1 told the forensic interviewer that Gordon threatened Victim 1 by telling her that if she told anyone what Gordon was doing to her, Gordon would make a report that Victim 1's mother was physically abusing her and that she would be taken away from her family. Victim 1 told the forensic examiner that this threat frightened her.

10. During Victim 2's forensic interview, Victim 2 disclosed that Gordon was visiting her and Victim 1 during Christmas 2018; Victim 2 was 11-years-old. At this time, Victim 1 and Victim 2 lived in a different house than their current one, but still on Fort Bliss, Texas. Victim 2 told the examiner that she had her own bedroom and that one morning, at approximately 4:00 am, Victim 2 woke up startled because Gordon was standing in her doorway. Victim 2 said that she thought Gordon was checking up on her but that instead, Gordon came into her room and started rubbing Victim 2's thigh.

11. Victim 2 continued the interview by saying that Gordon lifted up Victim 2's underwear and put his hand inside her underwear so that he was touching her bare skin. Victim 2 said that Gordon put his hand on Victim 2's front "private". Victim 2 stated, "All he did was put his hand right there...he didn't do anything on my private". Victim 2 further said that while Gordon was touching her, he did not say anything; Gordon took his hand out of Victim 2's underwear and left her room. Victim 2 told the forensic interviewer that the following morning, Victim 2 thought she had dreamt the incident because Gordon had never done that before nor did Gordon say anything to her about it. After Victim 2 disclosed to her parents what Gordon had done to her, Victim 2 said she that she thought maybe the incident with Gordon was not a dream and really happened "because it felt more real".

12. During FBI SAs interview of Complainant, Complainant told SAs that Complainant had audio recorded a portion of Victim 1's initial outcry. Complainant provided that audio recording to FBI SAs who subsequently listened to the tape. In that recording, Victim 1 could be heard telling Complainant that her dad [Gordon] would touch her when her mother was gone. Victim

1 could be heard further stating that "He would put his hand down there", that Gordon tried to stick his penis "in there", and that Gordon put his mouth on "it". FBI SAs additionally heard Victim 1 describe many of the same details that Victim 1 had given the forensic interviewers.

13. Based on the above information, the affiant has probable cause to believe that between on or about July 2, 2019 and continuing through and including on or about July 12, 2019, CARL MONROE GORDON did knowingly engage in sexual abuse of minor, in violation of Title 18, United States Code 2243(a).